

**Nevada Department of Agriculture
350 Capitol Hill Avenue
Reno, Nevada 89502**

NOTICE OF INTENT TO ADOPT REGULATIONS

Proposed temporary amendment of NAC 587 pertaining to fee schedule for seed testing and seed certification and other minor changes in the seed certification procedures.

Authority: NRS 587.

Need for and purpose of the proposed regulation or amendment

The fee schedules have not been changed for several years and the proposed increases more accurately reflect the actual cost to the department for these services. Some procedural changes are proposed within the seed certification standards to bring them up to date with changes in the national standards for seed certification and with standards of neighboring states.

Economic effect of the proposed regulation on the businesses which it is to regulate

a. Adverse effects:

There will be an increase in the cost to individuals and companies participating in the seed certification program.

b. Beneficial effects:

The additional fees for seed certification will allow for the certification program to meet the increasing demand for this service. Certification of seed varieties provides additional value to the grower for seed produced.

c. Immediate and long term effects:

The immediate and long term effects of these proposed changes are similar.

Economic effect of these proposed amendments on the public.

a. Adverse effects:

There are no adverse effects on the public.

b. Beneficial effects:

Local economies could benefit from the increased value of commodities produced.

c. Immediate and long term economic effects:

The immediate and long term effects should be about the same.

Economic cost to the agency for enforcement of the proposed amendments

The proposed increase in fees should nearly equal any additional costs to the agency.

Description of any regulations of other state, local or federal governmental agencies which the proposed amendments overlap or duplicate

There are no other governmental agencies involved in these programs.

Fees

Existing fees will be increased to reflect current costs to maintain the seed certification program.

The date, time, place, and manner in which interested parties may present their views at public hearing on the proposed amendments:

DATE: Friday, May 16, 2003
TIME: 9:30 AM
PLACE: Nevada Department of Agriculture
350 Capitol Hill Avenue
Reno, Nevada 89502

Manner: Written comments and testimony may be submitted prior to the hearing date and will be included with any testimony presented at the hearing. All verbal and written testimony will be in the record of the hearing.

Addresses at which the text of the proposed regulations may be inspected and copied:

The State Library, 100 Stewart Street, Carson City, Nevada, and all Nevada county libraries. Copies may also be at the Department of Agriculture office in Reno, Sparks, Elko, Las Vegas or Winnemucca during the hours of 8:00 a.m. until 5:00 p.m. Monday through Friday. This notice and text of the proposed regulation are also available in the Legislative Counsel Bureau pursuant to NRS 233B.0653 and on the internet at <http://www.agri.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

This notice of hearing has been posted at the following locations:

Nevada Department of Agriculture
350 Capitol Hill Avenue
Reno, NV 89502

Nevada Department of Agriculture
2150 Frazer Street
Sparks, NV 89431

Nevada Department of Agriculture
1550 South Wells Avenue
Reno, NV 89502

Nevada Department of Agriculture
1200 E. Winnemucca Blvd.
Winnemucca, NV 89445

Nevada Department of Agriculture
Eyer H. Boies Building
1351 Elm Street
Elko, NV 89801

Nevada Department of Agriculture
2300 McLeod
Las Vegas, NV 89104

NOTE: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please call Robert Gronowski at the Nevada Department of Agriculture, 775-688-1180, as soon as possible.

NRS233B.064 Permanent regulations not to be adopted or revised by the Legislative Counsel; agency's reasons for adoption.

Upon adoption of any regulation, the agency, if requested to do so by an interested person before adoption, or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against adoption, and incorporated therein its reasons for overruling the consideration urged against its adoption.

Don Henderson, Acting Director

Date

**PROPOSED REGULATION OF THE
STATE DEPARTMENT OF AGRICULTURE**

NOTICE OF WORKSHOP

A workshop will be held on proposed of amendments NAC 587 pertaining to the fee schedule for seed testing and seed certification and other minor changes in the seed certification procedures.

DATE: Friday, May 16, 2003

TIME: 9:00 a.m.

Place: Nevada Department of Agriculture
350 Capitol Hill Avenue
Reno, Nevada 89502

For clarification on the proposed amendments contact Robert Gronowski at (775) 688-1182, ext. 239.

Addresses at which the text of the proposed regulations may be inspected and copied:

The Nevada State Library in Carson City, and all county libraries. The Department of Agriculture offices in Reno, Sparks, Elko or Winnemucca during the hours of 8:00 a.m. to 5:00 p.m., Monday to Friday.

**NEVADA DEPARTMENT OF AGRICULTURE
SMALL BUSINESS IMPACT DISCLOSURE PROCESS
PURSUANT TO 233B “Nevada Administrative Procedures Act”**

The purpose of this Small Business Impact Form is to provide a frame work pursuant to NRS 233B.0608 to determine where a small business impact statement is required for submittal of a proposed regulation before the Nevada Department of Agriculture. If questions one (1) and two (2) are answered No, then a small business impact statement is not required. If question one (1) or two (2) is answered with a YES, then a small business impact statement is required prior to conducting a public workshops by the Department. (This form must be submitted with the proposed regulation when submitted for drafting by LCB and adoption by the Nevada State Board of Agriculture.)

Proposed regulation: Temporary amendments of NAC 587 pertaining to the seed testing and seed certification and other minor changes in the seed certification procedures.

Part 1

1. Does this proposed regulation impose a direct and significant economic burden upon a small business ? No
2. Does this proposed regulation restrict the formation, operation or expansion of a small business ? No

Note: Small Business is defined as a “business conducted for profit which employs fewer than 150 full-time or part-time employees” (NRS 233B.0382).

3. If **YES** to either of questions 1& 2, the following action must be taken:
 - a. Was a small business impact statement prepared and was it available at the public workshop ?
 - b. Attach the small business impact statement (part 2) as part of this form upon submission for drafting by LCB and adoption by the Nevada Board of Agriculture.

SMALL BUSINESS IMPACT STATEMENT
Small Business Impact Form- Part 2
(NRS 233B.0609)

1. Describe the manner in which comments were solicited from affected small businesses, a summary of the response from small businesses and an explanation of the manner in which other interested persons may obtain a copy of the summary.
2. The estimated economic effect of the proposed regulation on small business:
 - a. Both adverse and beneficial effects
 - b. Both direct and indirect effects
3. The description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses.
 - a. Simplification of the proposed regulation.
 - b. Establishment of different standards of compliance for a small business.
 - c. Modification of fees or other monetary interests that a small business is authorized to pay at a lower fee.
4. The estimated cost to the agency for enforcement of the proposed regulation.
5. If this regulation provides for a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.
6. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards relating to the same activity, provide an explanation of why the proposed regulation is duplicative or more stringent and

why
it is necessary.